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VIA ELECTRONIC FILING

Hon. Jerrold N. Poslusny, Jr., U.S.B.J.
U.S. Bankruptcy Court for the District of New Jersey
Mitchell H. Cohen U.S. Courthouse
400 Cooper Street
Camden, NJ 08101

Re: *In re Griffin Sign, Inc.*
Case No.: 15-29789-JNP
Griffin Sign, Inc. v. New Jersey Turnpike Authority
Adv. Proc. No. 16-01265

Dear Judge Poslusny:

This firm represents Defendant New Jersey Turnpike Authority ("NJTA") in the above-referenced matter. Please accept this letter brief in lieu of a more formal submission in further support of NJTA's Motion for Sanctions.

On September 19, 2017, the Chapter 7 Trustee Brian Thomas ("Trustee") submitted a Certification in Opposition to NJTA's Motion for Sanctions. In that certification, the Trustee admits that Debtor Griffin Sign, Inc. ("Debtor") failed to comply with Your Honor's Order dated June 13, 2017 (the "Order") which required Debtor to serve Answers to NJTA's Revised Set of interrogatories within seven days. (See Certification of Scott Good ("Good Cert."), ¶ 10). Debtor also failed to comply with the provision in the Order requiring it to provide dates for depositions within 30 days of the date of the Order. Due to Debtor's blatant failure to comply with the Order, the Court should grant NJTA's Motion for Sanctions.

In his opposition, the Trustee seeks an indefinite extension of time to respond to NJTA's discovery requests based on his unsupported representation that "counsel for the Trustee has made numerous unsuccessful attempts to schedule a meeting with Debtor's representatives to secure accurate responses to Defendant's discovery requests." ("Good Cert. ¶ 10). The Trustee's blasé response to this motion seems to suggest that compliance with the deadlines set forth in the Order is optional. But, it is not. There is no excuse for Debtor's failure to comply with the deadlines set forth in the Order.

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Moreover, the Trustee has not taken the proper steps to secure an extension of time. He never asked NJTA whether it would consent to an extension of time and he failed to file a motion seeking an extension of time. Instead, the Trustee has merely made a belated request for an open-ended extension of time in his opposition to this motion which was filed over a month after this Court issued the Order. The Court should deny the Trustee's untimely and unsupported request for additional time to comply with the Order.

For all of these reasons, the Court should grant NJTA's motion for sanctions and dismiss this case with prejudice.

Respectfully submitted,
/s/ Sean Mack
SEAN MACK

cc: John Kaskey, Esq. (via ECF)
Scott Good, Esq. (via ecf)